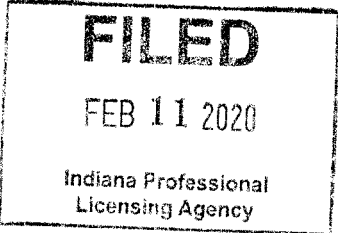


BEFORE THE MEDICAL LICENSING BOARD OF INDIANA  
CAUSE NUMBER: 2019 MLB 0029

IN THE MATTER OF THE LICENSE OF: )  
SURESH KODALI, M.D. )  
LICENSE NO: 01034631A (INACTIVE) )



FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT,  
CONCLUSION OF LAW, AND ORDER

The Medical Licensing Board of Indiana (“Board”) held an administrative hearing on December 5, 2019, in Room W064 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning an Administrative Complaint filed against the Indiana physician license of Suresh Kodali, M.D. (“Respondent”) on August 19, 2019.

The State of Indiana (“Petitioner”) was represented by counsel, Deputy Attorney General Ryan P. Eldridge. Respondent failed to appear in person or by counsel.

The Board, after taking official notice of the file in the matter and pursuant to Ind. Code § 4-21.5-3-24, by a vote of 5-0-0 finds Respondent to be in DEFAULT. The Board by a separate vote of 5-0-0 issues the following Findings of Fact, Ultimate Findings of Fact, Conclusion of Law, and Order.

FINDINGS OF FACT

- 1. Respondent is a physician (“M.D.”) in the State of Indiana having been issued license number 01034631A by examination on September 4, 1985.
- 2. Respondent’s address on file with the Indiana Professional Licensing Agency (“IPLA”) is 708 West Port Road, Suite 103, Elizabethtown, Kentucky 42701.
- 3. Respondent is a physician in Kentucky having been issued license no. 24553 on May 28, 1986.

KENTUCKY DISCIPLINE

- 4. On June 5, 2018, the Commonwealth of Kentucky Board of Medical Licensure (“Kentucky Board”) filed a Complaint charging Respondent with KRS 311.595(9), related to an allegation of inappropriate contact with a female patient.

5. On October 5, 2018, the Kentucky Board issued its Findings of Fact, Conclusions of Law, and Recommended Order, which stated:

- a. On Patient A's last visit on May 22, 2017, Patient A asserted that after writing the prescription for her ADHD medication, Respondent "stood up from his desk where he has & always sits & hugged me. Then he tried to stick his hand up my shirt to touch my breasts. I felt so uncomfortable I pulled away and told him I have to go. Then he said he was sorry."
- b. After considering the testimony from Patient A, Respondent, and the other witnesses, and after considering the additional evidence admitted at the administrative hearing, the hearing officer finds that Patient A's allegations are believable and that Respondent's denial of her allegations are not.
- c. The hearing officer recommended that Respondent be found guilty of violating KRS 311.595(9).

6. KRS 311.595 (9) states, "the board may ... limit or restrict a license for an indefinite period ... upon proof that the licensee has: Engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public or any member thereof".

7. KRS 311.597(9) is similar to Ind. Code 25-1-9-4(a)(5), which states, "A practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public".

8. On December 19, 2018, the Kentucky Board issued an Order of Indefinite Restriction ("Kentucky Final Order"). This Order adopted and incorporated the Findings of Fact and Conclusions of Law from October 5, 2018. The Kentucky Final Order ordered, Respondent is "prohibited from consulting, evaluating, diagnosing or otherwise providing treatment for any female patients" and "SHALL REIMBURSE to [the Kentucky Board] the costs of the proceedings in the amount of \$6,260.03 within one (1) year [of the] entry of this order; and [Respondent] SHALL NOT violate any provision of KRS 311.595 and/or 311.597."

### ULTIMATE FINDINGS OF FACT

9. By a vote of 5-0-0, the Board finds that by his conduct in being disciplined in Kentucky on grounds that are similar to Indiana law or rules, Respondent has had disciplinary action taken against his license in another jurisdiction, on grounds similar to those in Indiana, and is therefore subject to discipline pursuant to Ind. Code § 25-1-9-4(a)(7).

### CONCLUSION OF LAW

10. Respondent's violations of Ind. Code § 25-1-9-4 is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, revocation, and/or a fine up to the amount of one thousand dollars (\$1000.00) per violation as detailed in Ind. Code § 25-1-9-9.

### ORDER

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusion of Law, the Board issues the following Order:

1. Respondent's Indiana medical license is placed on **INDEFINITE PROBATION**. Respondent may not petition for withdraw of probation until Respondent obtains an **UNENCUMBERED** and **UNRESTRICTED** Kentucky medical license.

2. Respondent's medical practice shall be governed by the following **TERMS AND CONDITIONS**:

- a. Respondent shall comply with the Kentucky Order that restricted his Kentucky medical license.
- b. Respondent is prohibited from consulting, evaluating, diagnosing or otherwise providing treatment for any female patients in Indiana.
- c. Respondent shall keep the board apprised of his contact information including address and telephone number.
- d. Respondent shall keep the board apprised of his employment information including address and telephone number.

e. Respondent shall obtain signed board orders from all medical employers, and shall submit such signed board orders to the board.

3. Respondent shall pay a **FINE** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)** payable to the Indiana Professional Licensing Agency at the following address:

Indiana Professional Licensing Agency  
Attn: Medical Board  
402 West Washington Street, Room W072  
Indianapolis, Indiana 46204

4. Respondent shall pay a **FEE** of **FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General  
Attn: Executive Assistant, Consumer Protection Division  
302 West Washington Street, 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204

**SO ORDERED**, this 11<sup>th</sup> day of February 2020.

MEDICAL LICENSING BOARD OF INDIANA

By: Maureen Bennett  
for John Strobel, M.D., President  
Medical Licensing Board of Indiana

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**CERTIFICATE OF SERVICE**

I certify that a copy of the "Findings of Fact, Ultimate Findings of Fact, Conclusion of Law, and Order" has been duly served upon:

Suresh Kodali  
708 West Port Road, Suite 103  
Elizabethtown, KY 42701  
**Service by U.S. Mail**

Ryan P. Eldridge  
Deputy Attorney General  
Indiana Government Center South, Fifth Floor  
302 West Washington Street  
Indianapolis, Indiana 46204-2770  
Ryan.Eldridge@atg.in.gov  
**Service by Email**

2-11-2020

Date

Donna Moran

Litigation Specialist

Medical Licensing Board of Indiana  
Indiana Government Center South  
402 West Washington Street, Room W072  
Indianapolis, Indiana 46204  
Phone: 317-234-2060  
Fax: 317-233-4236  
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**Explanation of Service Methods**

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.